



University of Hawaii at Manoa

Environmental Center
Crawford 317 • 2550 Campus Road
Honolulu, Hawaii 96822
Telephone (808) 948-7361

RL:00757

SB 2462 RELATING TO THE PROTECTION OF STREAMS

Statement for
Senate Committee on
Housing, Hawaiian Programs and Natural Resources
Public Hearing - March 1, 1988

By
Jacquelin Miller, Environmental Center
James Parrish, Hawaii Cooperative Fishery Research Unit
Steven Armann, Environmental Center

SB 2462 would amend Chapter 174C of the Hawaii Revised Statutes by adding new sections to the State Water Code that would establish special protective restrictions for streams that display exceptional natural quality and scenic value. Such streams would be designated Hawaii wild and scenic rivers. Our statement on this bill does not represent an institutional position of the University of Hawaii.

Hawaii's streams and their associated biota are an important component of Hawaii's natural resource heritage, and this bill is designed to protect their continued existence. We strongly support the intent of this bill to strengthen and clarify the State Water Code in regard to stream protection and diversion. However, there are several amendments that should be considered.

Under the proposed language of SB 2462, certain streams are identified as forming the charter components of the Hawaii wild and scenic rivers system. The State Water Commission with the assistance of certain consultants, is directed to identify other streams deserving similar designation. However, no date is indicated by which the Commission must act to designate additional streams. We suggest that a time frame be established for review of potential additional streams and that the bill include provisions by which a stream may be added or withdrawn from the list.

The bill does not contain any provision for public review in the form of hearings or other public input in designating streams as part of the Hawaii wild and scenic rivers system. While the consultants listed represent agencies and organizations with exceptional technical competence in biological resources, we believe that specialists from the private sector, such as members of trail and hiking clubs, may have special interests and local knowledge that would be helpful to the Commission in their determinations of valuable natural resources. Provision for public input either by solicitation of written comments or public hearing should be considered.

The only protection allotted under this bill to streams which are designated as "Hawaii wild and scenic rivers" is that they shall be preserved without additional water removal. Additional protection should be granted to these streams to prohibit alterations such as channel paving, dams, and re-routing. Without such additional protections the intent of this bill may not be realized.

We strongly support the intent of this bill and urge that prompt action be taken to protect the unique stream resources in Hawaii.
